



South Coast Air Quality Management District

Engineering & Compliance

*Policies &
Procedures*

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

MEMORANDUM

DATE: March 9, 1988
TO: Permit Processing and Project Engineers
FROM: William J. Dennison, Director of Engineering /s/ by WJD
SUBJECT: Exempt Equipment

The Engineering Division has received several applications for permits to operate equipment installed at some early date. The applicants have made allegations that District inspectors incorrectly advised them during earlier inspections that the equipment was exempt under Rule 219. Later, new inspectors assigned to these plants informed the applicants that permits were required for the equipment in question. The dilemma is that if these applications had been submitted at the time of the original inspection, the requirements of Regulation XIII at that time would have been less stringent.

Rule 1301 amended by the District Board on September 5, 1986, states that a permit unit installed without having received a Permit to Construct shall be subject to Regulation XIII as amended and in effect at the time an application is deemed complete. A rigid interpretation of this rule would indicate there is no leeway for the applicants; however, circumstances must be investigated which may invalidate that decision. If the applicant can provide adequate proof, either through District records, or his records, that the inspector has declared the equipment exempt, then we will apply the version of Regulation XIII that was in force at the time the equipment was installed. Adequate proof could consist of inspectors' reports, equipment lists, or other Enforcement written documents.

CM/ccb

cc: E. Camarena
L. Lockie